

**From:** arh14@cornell.edu@inetgw  
**To:** Microsoft ATR  
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**Subject:** Microsoft Settlement

To whom it may concern:

I have been working in the software industry for three years as a Java software developer, and have been writing software for around seven years. I have been using Microsoft products (often by choice, often only by sheer necessity because of the de facto standard it has become), from DOS 4.0 in 1989, through Windows 2000. For as long as I've been using Microsoft products, Microsoft has shown its flagrant disrespect for the competitive marketplace, from snuffing out competitors to its DOS and Windows operating systems (e.g. Dr. DOS, OS/2), by engaging in predatory, secret, non-disclosable OEM deals to prevent OEMs from shipping alternative products, by engaging in "embrace-and-extinguish" practices to consume and later kill emerging threatening technologies (e.g. Java), and by intentionally introducing incompatibilities in its products which either make it difficult for competing third party applications to run, make it difficult for its protocols and formats to be reversed engineered for the sake of compatibility, or keep consumers upgrading needlessly. In parallel, Microsoft has shown a likewise lack of concern for the multitudinous security problems that have plagued its products, only recently claiming to be sincerely interested in security now that viruses and worms based on insecure but ubiquitous Microsoft products are flooding the net. Just recently the FBI became worried enough about a security flaw in Microsoft Windows XP, that it issued an alert. Microsoft's pitch of web services is even more worrisome, in that Microsoft may end up holding the personal information of millions of users who patronize web sites which are based on Microsoft PassPort and HailStorm.

In light of Microsoft's behavior I think that the Proposed Final Judgement is not sufficient. It is too weak, and too ambiguous and leaves Microsoft plenty of room to exploit loopholes (details at: <http://www.kegel.com/remedy/letter.html>). It is nothing more than a slap on the hand. The software industry has seen a steady stifling of innovation, whereas before Microsoft's dominance it was diverse and fertile. We cannot bring back all the technologies, companies, or bright ideas Microsoft suppressed, but we can do the right thing in evening the playing field again, by rejecting the Proposed Final Judgement, and revising it to close many loopholes, clear up ambiguities, and once again make the marketplace competitive.

Thank you,

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